

FILED

MAY 12 2006

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA, ex rel §
TONI R. BARRON AND VICKY J. §
SCHEEL, § CIVIL ACTION
Plaintiffs, § NO. SA-99-CA-1093-FB
v. §
§
§
§
DELOITTE & TOUCHE, LLP, §
DELOITTE TOUCHE CONSULTING §
GROUP, LLC., DELOITTE & TOUCHE §
CONSULTING GROUP HOLDING, LLC, §
MEDICAID SOLUTIONS OF TEXAS, §
and NATIONAL HERITAGE INS. CO., §
§
Defendants. §

UNOPPOSED MOTION FOR PROTECTIVE ORDER

TO THE HONORABLE FRED BIERY, UNITED STATES DISTRICT COURT:

TONY R. BARRON, and VICKY J. SCHEEL, RELATORS, file this Unopposed Motion for Protective Order, and would respectfully show the following:

1. For the past several weeks the parties have been discussing and exchanging drafts of a protective order governing the handling of confidential documents and information through the remaining course of the litigation. The confidentiality issues in this case are somewhat more complex than in the ordinary case because in addition to the parties' own records, certain records of third parties also contain documents that could be privileged under either the Health Insurance Portability and Accountability Act (HIPAA), (codified in scattered sections of volumes 18, 26, 29 and 42 of the United States Code) and the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C.

§1232. The parties have now agreed on the form of two orders, a proposed Protective Order filed herewith and a proposed Order on Discovery and Compelling Certain Discovery attached to another unopposed motion filed contemporaneously with this motion.

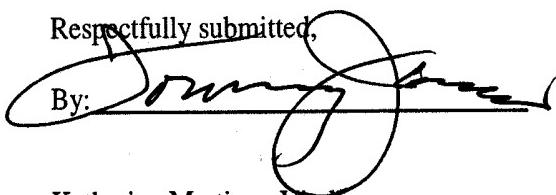
2. Relators incorporate herein by reference the Unopposed Motion for Order on Discovery and Compelling Certain Discovery.

3. Relators and Defendants are satisfied that the terms of the Protective Order attached hereto satisfy the requirements of both HIPAA and FERPA and the regulations issued under the authority of those statutes, and that the privacy interests of all individuals whose records may be included within the scope of discovery produced by the parties or by third parties will be protected by the entry of these two orders.

WHEREFORE, based on the foregoing, Relators respectfully request the Court to enter the attached Protective Order and request any other necessary or appropriate relief.

Respectfully submitted,

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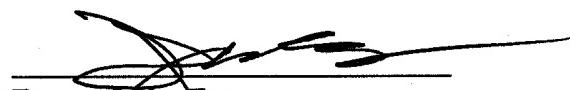
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I hereby certify that, on May 10, 2006, a true and correct copy of the foregoing document was served on the following counsel as indicated below:


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